

NATIONAL RECOVERY ADMINISTRATION

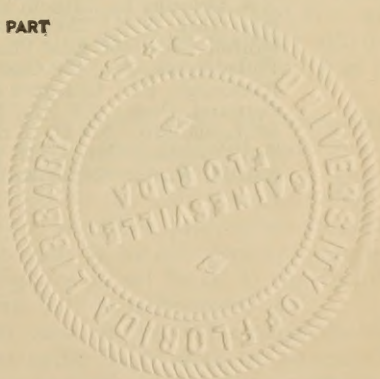
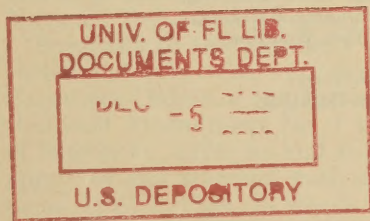
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AMENDMENT TO  
CODE OF FAIR COMPETITION

FOR THE

**BITUMINOUS COAL INDUSTRY**

AS APPROVED ON APRIL 22, 1934

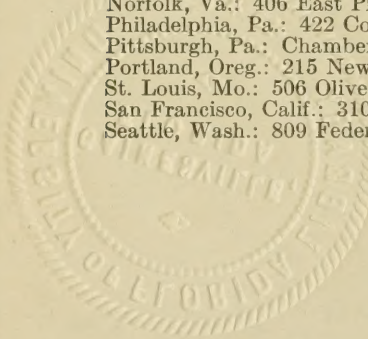


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**Approved Code No. 24—Amendment No. 2**  
**AMENDMENT TO**  
**CODE OF FAIR COMPETITION**  
**FOR THE**  
**BITUMINOUS COAL INDUSTRY**  
**As Approved on April 22, 1934**

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**ORDER**  
**MODIFICATION OF CODE OF FAIR COMPETITION**  
**FOR THE**  
**BITUMINOUS COAL INDUSTRY**

It appearing to me that there has been a full opportunity to be heard on Amendment No. 1 to the Code of Fair Competition for the Bituminous Coal Industry as set forth in my Administrative Order of March 31, 1934, at a duly noticed public hearing and otherwise, and having fully considered all of the aspects of said Amendment No. 1 in light of the evidence presented at said public hearing and otherwise, and it appearing to me after such consideration that justice requires that the modifications herein effected be made and that said Amendment No. 1, as so modified should be in all respects affirmed and as so modified will tend to effectuate the policies of Title I of the National Industrial Recovery Act;

Pursuant to the authority reserved to me in said Administrative Order and otherwise vested in me under said Title of said Act by Executive Orders of the President and otherwise, it is hereby ordered that said Amendment No. 1 as effected by my Administrative Order of March 31, 1934, be and it hereby is modified and, as so modified, approved and affirmed, such modification to be effective immediately as of April 1, 1934, in words and figures as set forth in the Exhibit hereto annexed which shall be known as "New Schedule A";

FURTHER ORDERED that, in view of the differentials hereby accorded District J, pending further order there shall be no sales by operators of said District into the normal consuming markets of another District which is subject to higher rates of pay, at any prices for coal of comparable grade and quality, less than the price for such coal in said market charged by such other District, and there shall be no destructive invasion of such other consuming markets and, in the absence of satisfactory agreements governing this matter, the determination of the Administrator on complaint of any such destructive invasion shall be conclusive;



FURTHER ORDERED that the requirement of said Amendment No. 1 that the minimum rates for tonnage and other piecework in certain Districts should be further increased shall be modified so as to read as follows:

"In addition to the increases above provided the minimum rates for tonnage and other piecework in Districts B, G, H, J, and J-1, shall be further increased, if necessary, by an amount sufficient to maintain the customary relationship in the industry between pay for such tonnage and piecework and the basic minimum rates for day labor as prescribed for such districts in New Schedule A";

FURTHER ORDERED that said requirement, as to increases in District B, shall be satisfied pending further order, by an increase per 2,000 pound ton for said District of two and one-half ( $2\frac{1}{2}$ ) cents in loading rates and one-half ( $\frac{1}{2}$ ) cent in cutting rates;

FURTHER ORDERED that an error in the first paragraph of said Amendment No. 1 be corrected by the insertion of "clerical", before the word "technical" in the first line thereof;

FURTHER ORDERED that full study shall be made by the National Recovery Administration as to adjustments in the price structure within the Bituminous Coal Industry, equitably required in consideration of the rates of pay in effect in the several Districts of said Industry, and to that end there shall be created a Bituminous Coal Research Unit within the Research & Planning Division of said Administration to conduct such study, to advise the Administrator on approval of proposed prices, and to make recommendations concerning such readjustment of the price structure; and

Said Amendment No. 1, as modified in accordance herewith, be and the same hereby is in all respects, affirmed and approved, subject, however, to such further modification in any schedule therein as further investigation and fact finding by the Division of Research & Planning may discover to be necessary. Said Division will vigorously continue its present research into wages, prices and hours of labor in each of the affected Divisions.

HUGH S. JOHNSON,  
*Administrator for Industrial Recovery.*

WASHINGTON, D.C.,  
*April 22, 1934.*

## NEW SCHEDULE A

|   | Basic minimum rates          |                        |                              |                        |
|---|------------------------------|------------------------|------------------------------|------------------------|
|   | Minimum inside skilled labor |                        | Minimum outside common labor |                        |
|   | Per day                      | Per hour               | Per day                      | Per hour               |
| District A:   |                              |                        |                              |                        |
| Pennsylvania.....   | \$5. 00                      | \$0. 71½ <sup>10</sup> | \$4. 00                      | \$0. 57½ <sup>10</sup> |
| Ohio.....   | 5. 00                        | . 71½ <sup>10</sup>    | 4. 00                        | . 57½ <sup>10</sup>    |
| Lower Peninsula of Michigan.....  | 5. 00                        | . 71½ <sup>10</sup>    | 4. 00                        | . 57½ <sup>10</sup>    |
| Panhandle District of West Virginia <sup>1</sup> .....  | 5. 00                        | . 71½ <sup>10</sup>    | 4. 00                        | . 57½ <sup>10</sup>    |
| District B: Northern West Virginia <sup>2</sup> .....   | 5. 00                        | . 71½ <sup>10</sup>    | 4. 00                        | . 57½ <sup>10</sup>    |
| District C:   |                              |                        |                              |                        |
| Southern West Virginia <sup>3</sup> .....   | 4. 60                        | . 65½ <sup>10</sup>    | 3. 60                        | . 51½ <sup>10</sup>    |
| Eastern Kentucky <sup>4</sup> .....   | 4. 60                        | . 65½ <sup>10</sup>    | 3. 60                        | . 51½ <sup>10</sup>    |
| Upper Potomac District of West Virginia <sup>5</sup> .....  | 4. 60                        | . 65½ <sup>10</sup>    | 3. 60                        | . 51½ <sup>10</sup>    |
| Maryland.....   | 4. 60                        | . 65½ <sup>10</sup>    | 3. 60                        | . 51½ <sup>10</sup>    |
| Virginia.....   | 4. 60                        | . 65½ <sup>10</sup>    | 3. 60                        | . 51½ <sup>10</sup>    |
| Northern Tennessee <sup>6</sup> .....   | 4. 60                        | . 65½ <sup>10</sup>    | 3. 60                        | . 51½ <sup>10</sup>    |
| District D: Indiana.....  | 4. 57½ <sup>10</sup>         | . 65½ <sup>10</sup>    | 4. 20                        | . 60                   |
| District E: Illinois.....   | 5. 00                        | . 71½ <sup>10</sup>    | 4. 00                        | . 57½ <sup>10</sup>    |
| District F:   |                              |                        |                              |                        |
| Iowa <sup>7</sup> .....   | 4. 70                        | . 67½ <sup>10</sup>    | 4. 00                        | . 57½ <sup>10</sup>    |
| Wayne and Appanoose Counties, Iowa.....   | 4. 56                        | . 65½ <sup>10</sup>    | 4. 00                        | . 57½ <sup>10</sup>    |
| District G: Missouri, Kansas, Arkansas, Oklahoma.....   | 4. 35                        | . 62½ <sup>10</sup>    | 3. 75                        | . 53½ <sup>10</sup>    |
| District H: Western Kentucky <sup>8</sup> .....   | 4. 60                        | . 65½ <sup>10</sup>    | 3. 75                        | . 53½ <sup>10</sup>    |
| District J:   |                              |                        |                              |                        |
| Alabama.....  | 3. 80                        | . 54½ <sup>10</sup>    | 2. 80                        | . 40                   |
| Georgia.....  | 3. 80                        | . 54½ <sup>10</sup>    | 2. 80                        | . 40                   |
| Southern Tennessee, Hamilton and Rhea Counties.....   | 3. 80                        | . 54½ <sup>10</sup>    | 2. 80                        | . 40                   |
| District J-1: Marion, Grundy, Sequatchie, White, Van Buren, Warren, and Bledsoe Counties in the State of Tennessee..... | 4. 24                        | . 60½ <sup>10</sup>    | 3. 24                        | . 46½ <sup>10</sup>    |
| District K:   |                              |                        |                              |                        |
| New Mexico.....   | 5. 10                        | . 72½ <sup>10</sup>    | 4. 10                        | . 58½ <sup>10</sup>    |
| Southern Colorado <sup>9</sup> .....  | 5. 10                        | . 72½ <sup>10</sup>    | 4. 10                        | . 58½ <sup>10</sup>    |
| District L: Northern Colorado <sup>10</sup> .....   | 5. 25                        | . 75                   | 4. 25                        | . 60½ <sup>10</sup>    |
| District M: Utah.....   | 5. 44                        | . 77½ <sup>10</sup>    | 4. 48                        | . 64                   |
| District N:   |                              |                        |                              |                        |
| Southern Wyoming.....   | 5. 42                        | . 77½ <sup>10</sup>    | 4. 44                        | . 63½ <sup>10</sup>    |
| Northern Wyoming.....   | 5. 42                        | . 77½ <sup>10</sup>    | 4. 54                        | . 64½ <sup>10</sup>    |
| District O: Montana.....  | 5. 63                        | . 80½ <sup>10</sup>    | 4. 82                        | . 68½ <sup>10</sup>    |
| District P: Washington.....   | 5. 40                        | . 77½ <sup>10</sup>    | 4. 00                        | . 57½ <sup>10</sup>    |
| District Q:   |                              |                        |                              |                        |
| North Dakota.....   | 4. 50                        | . 64½ <sup>10</sup>    | 3. 70                        | . 52½ <sup>10</sup>    |
| South Dakota.....   | 4. 50                        | . 64½ <sup>10</sup>    | 3. 70                        | . 52½ <sup>10</sup>    |

<sup>1</sup> Includes Hancock, Brooke, Ohio and Marshall Counties.

<sup>2</sup> Includes Monogalia, Marion, Harrison, Taylor, Lewis, Barbour, Gilmer, Upshur, Randolph, Braxton, Preston, and Webster Counties and those mines in Nicholas County served by the B. & O. R. R.

<sup>3</sup> Includes all mines in counties in West Virginia not named under Districts A and B and the Upper Potomac District.

<sup>4</sup> Includes all mines in Kentucky located east of a north and south line drawn along the Western boundary of the City of Louisville.

<sup>5</sup> Includes Grant, Mineral and Tucker Counties.

<sup>6</sup> Includes all Counties in Tennessee not named under Southern Tennessee in District J and J-1.

<sup>7</sup> Excludes Wayne and Appanoose Counties.

<sup>8</sup> Includes all mines in Kentucky west of a north and south line drawn along the western boundary of the City of Louisville.

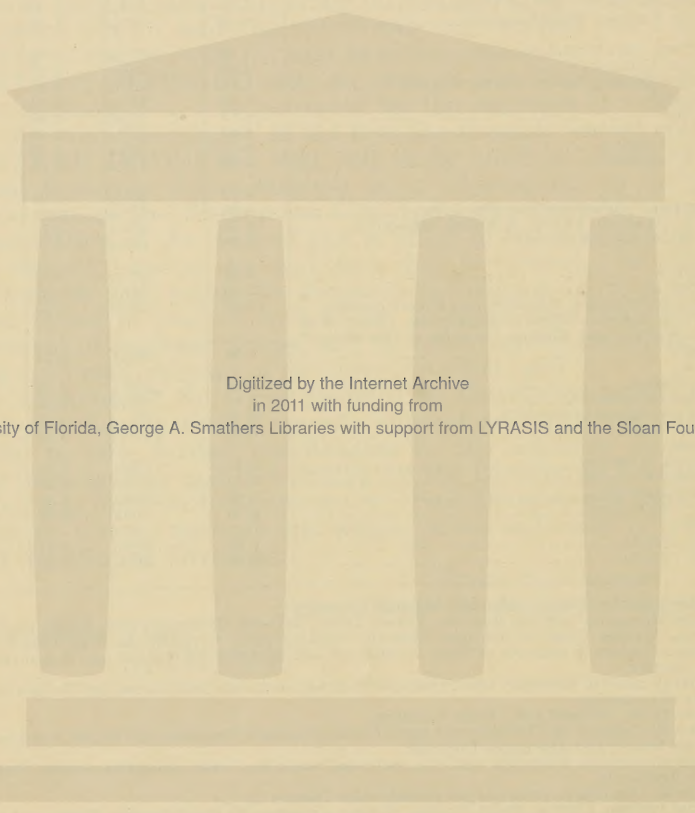
<sup>9</sup> Includes all Counties in Colorado not named under District L.

<sup>10</sup> Includes Jackson, Larimer, Weld, Boulder, Adams, Arapahoe, El Paso, Douglas, Elbert, and Jefferson Counties.

NOTE.—Differences between districts in the foregoing minimum rates are not to be considered as fixing permanent wage differentials or establishing precedents for future wage scales.

Approved Code No. 24.—Amendment No. 2.

Registry No. 702-45.



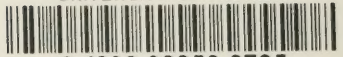
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